

§ 1620.10 Scope.

This subpart applies to any individual participating in the Civil Service Retirement System or the Federal Employees' Retirement System who has been appointed or otherwise assigned to one of the cooperative extension services, as defined by section 1404(5) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(5)).

§ 1620.11 Definitions.

(a) As used in this subpart, the term *employing authority* means that organization within a State which employs an individual covered by § 1620.10 of this part and which has authority to make personnel compensation decisions for such employees.

(b) As used in this subpart, the term *participating* means paying contributions to the basic annuity under either the Civil Service Retirement System or the Federal Employees' Retirement System.

§ 1620.12 Contributions by employing authority.

(a) An employing authority, at its sole discretion, may choose to make employer contributions for individuals in its employ who are participating in the Federal Employees' Retirement System as if that authority were the individual's employing Federal agency under the provisions of 5 U.S.C. 8432(c).

(b) If an employing authority chooses to make employer contributions, such contributions may be made for any period of eligible service since January 1, 1984. These contributions consist of the automatic one percent contribution (5 U.S.C. 8432(c)(1)(A)) and the employer matching contribution (5 U.S.C. 8432(c)(2)), as well as contributions for periods of eligible service after April 1, 1987 and contributions for eligible service prior to April 1, 1987 (5 U.S.C. 8432(c)(1)(B) and (C), and 8432(c)(3)).

(c) An employing authority may only commence employer contributions or terminate employer contributions during a Thrift Savings Plan election period. The employing authority must provide all affected employees with a notice of this decision to commence or terminate employer contributions at

least 45 days before the beginning of the applicable election period.

(d) An employing authority that has chosen to make employer contributions must treat all of its employees who are eligible to receive employer contributions in the same manner.

(e) The employing authority must not make any employer contributions on behalf of individuals who are subject to the Civil Service Retirement System.

§ 1620.13 Prior employer contributions.

Any employing authority that has made employer contributions before the publication date of this subpart will not be deemed to have chosen to make these contributions by virtue of these payments. However, if such an authority fails to choose to make employer contributions, contributions previously made on behalf of an eligible employee may not be retrieved.

§ 1620.14 Deadline for employing authority to begin employee contributions.

An employing authority must allow employees participating in the Federal Employees' Retirement System or the Civil Service Retirement System to make contributions to the Thrift Savings Plan no later than the pay period following its acceptance of the employee's election form.

§ 1620.15 Initial election period for employees.

Employees who are participating in the Civil Service Retirement System or the Federal Employees' Retirement System must be permitted to file an election form with the employing authority identifying the amount, if any, of their contribution to the Thrift Savings Plan at any time within 60 days of the date of publication of this subpart. Any employee who was eligible to participate in a prior election period, but was denied the opportunity to do so, must be given the opportunity to make any election which he or she could have otherwise made in 1987 or 1988.